

Broadway Market News

Issue Number 2 - Feb 2006

HIGH SPIRITS AFTER COURT VICTORY!

On the 6th February at Shoreditch County Court Spirit won permission to Appeal against eviction by his Landlords, Broadway Investments Ltd.

This is a real victory! The court considered that, as 60% of Spirit's property is residential, the Landlords were wrong to carry out their rent review which increased his rent by 710%. This rent review treated the whole property as commercial.

If this argument stands up at the actual appeal, the extortionate rent increases imposed by the Landlords will be deemed unlawful and Spirit's arrears will be greatly reduced meaning he won't be evicted.

At the appeal the court will also decide whether Spirit was actually a Secure Tenant at the time of the sale of his property. This would mean that he had protection in law and Hackney Council were wrong to sell his home & business without properly consulting him first.



Spirit victorious after the Judge granted permission to appeal

THE HISTORY OF SPIRIT'S SITUATION

Spirit has been living and working at the premises at 71 Broadway Market since 1993. When he first rented the building from Hackney council it was derelict and Spirit has invested £52,500 of his own money and six years of his own labour to turn it into a thriving business.

When Hackney sold of its commercial properties in 2000-2003 it should have given Spirit, the long-term lease holder, first option to buy his property. At the time Spirit made it clear to all parties involved with the sales that he was determined to buy 71 Broadway Market and had the means to do so.

Spirit went to the Council's auctioneers on the morning of the auction and signed a document that he believed was a contract of sale. He handed over a cheque for £10,000 as a deposit to buy the property for £100,000. Just hours later as he was attending the auction, Spirit watched his property go up for sale again! The Council's auctioneers sold the building to

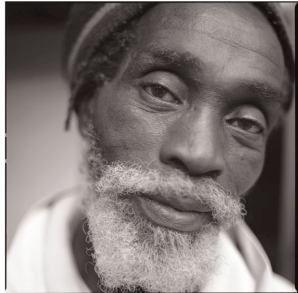
an offshore investment company based in Nassau for £85,000 - £15,000 LESS than what Spirit had offered to pay for it!

Six days later the auctioneers, Nelson Bakewell, returned Spirit's cheque to him without explanation and they have refused to say why ever since. Hackney Council has never been able to explain why this happened, but a public enquiry will now open on February 17th following public pressure.

After Broadway Investments Hackney Ltd. bought Spirit's property at auction they then raised his rent by 710%, having tried for a 1200% increase. Broadway Investments have been hiding behind letting agents Urban Specturm and continued to deliberately conceal their identity from Spirit. He was unable to pay his rent for several years as he couldn't determine WHO the money would go to.

Now Broadway Investments have issued a possession order on the grounds of the rent arrears.

SAVE THE SPIRIT



OF BROADWAY MARKET

T-shirts: All sizes, £10

All money raised will go to Spirit's rent arrears.

HOW WE RAISED MONEY TO MAKE SPIRIT'S APPEAL POSSIBLE



In order for Spirit to be allowed to apply for permission to appeal, the Court said that he had to make a contribution of £3000 pounds towards his rent arrears (which of course are now in dispute).

As Spirit only had access to £1500 the community pledged to help him find the rest and ensure that he got



his day in court. A team of community volunteers took to the streets and collected the remaining £1500 in just TWO days!

This goes to show the incredible support that Spirit and the campaign in Broadway Market has from local people. We want to thank everyone who gave money for their generosity. And now that Spirit has his permission

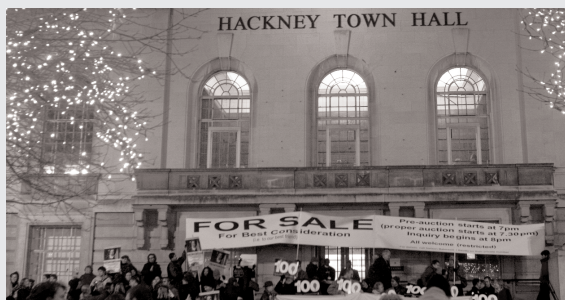


to appeal we think it was really worthwhile.

Spirit still needs some help to make payments to his landlords in the run up to his appeal in April. If you feel you can help in any way then please get in touch with the campaign - call 07939 333 465 or email acsadvice@yahoo.co.uk. Small contributions can make a big difference!

RESULT! COUNCIL COMMISSION TO INVESTIGATE SELL-OFFS

Report on Town Hall Meeting & Protest



There was a great turn out for the picket of the Council Meeting on Monday February 1st. Protesters raised a tongue in cheek banner informing passers by that the Town Hall was up for auction and offering "Best Consideration" to any property developers that wanted to buy it on the cheap! Numerous police officers were in attendance as the Council are aware of the strength of public feeling over these matters.

Hackney were obviously not keen to meet their public, as many of us tried in vain to be given entry to the public gallery. But after being informed there were no more seats many protesters forced their way past the security guards and found there were in fact a further 20 places available!

Once we got inside we found that the Public Gallery looked almost as derelict as Dalston Lane Theatre! The council started a childish game of party political point scoring that made a farce of democracy. Perhaps some of the councillors should come down to Tony's Café to see how civilised and constructive local democracy can be!

At the last full Council Meeting Tory Councillor for Queensbridge Ward, Andrew Boff, put forward a motion that a review panel be set up look into Commercial Property Sales in Hackney over the last decade. This enquiry would particularly examine the cases of Tony and Spirit and the units in Dalston Lane. Boff also recommended that future property sales be suspended pending the outcome of the enquiry.

After two amendments the motion was carried unanimously. Hackney Council's 'Governance & Resources Committee' has met and agreed to hold three meetings to hear evidence and examine documentation.

To our complete surprise the committee also recommended considering the situation of those affected by property disposals in the past. So far Labour have only discussed making sure that such things 'don't happen again'.

The appointed review panel will be made up of Councillor James Cannon (Labour), Coucillor William Hodgson (Labour, Queensbridge Ward), Councillor Andrew Boff (Conservative, Queensbridge Ward) and Elaine Battson (Labour, Dalston Ward).

The enquiry will be open to the public and will take written and verbal submissions from any interested parties.

Unfortunately, as the council is being dissolved on the 24th March for the pending local elections, the Commission will have to be concluded before that date. This means there is very little time to consider evidence and draw conclusions.

The Commission will sit over the next three weeks - on Monday 27th February, Monday 6th March and a final date to be confirmed in the week of the 13th March.

**COME TO THE COUNCIL'S
INVESTIGATION INTO PROPERTY SALES!
SHOW SUPPORT FOR TONY & SPIRIT
AND ALL OTHERS AFFECTED!**

**Monday 27th Feb, Monday 6th March
Hackney Town Hall 7pm**

It is crucial that the council see that the support for this issue is as strong as ever and we urge local people to come along to the meetings at the Town Hall.

The outcome of this could mean a major breakthrough for our campaign for Spirit & Tony!

HACKNEY COUNCIL SOLD OFF PROPERTIES FOR HOW MUCH???!!!!

Broadway Market

- Numbers 11-17, 25, 33, 47, 49 & 67-9 properties sold for £250,000 total to Stirling Properties Ltd based in Moscow (payments over 6 years)

- Number 31 sold to Stirling Directors for just £63,500

- 30 -32 (Market House Pub) Sold to Dr Wratten for £30,000

- 55-61 - Freeholds sold for £3,000 each to Broadway Investments Ltd (who went on to buy Spirit's property)

Dalston Lane

- 14 retail and residential properties stolen from the tenants (who had £3.2 million ready to buy their properties) and gifted to Dalston Lane Investments Ltd (Spirit's landlords again!) for £1.8m. So much for 'Best Consideration'!

TONY’S CAFE RE-OPENS!

On Saturday February 11th Tony's café was opened again to the public.

Despite rumours of an imminent eviction the occupiers undertook more building work to make the building safe.

Unfortunately Tony was ill that day and couldn't be there to cook up some pasta. The food on offer was quite simple, but the warm welcome made up for the basic menu. As usual press and TV cameras were present to mark the event and London Tonight aired a particularly sympathetic piece later that afternoon. There are plans to re-open again in the future.

Meanwhile it is unclear where we are with the attempts to negotiate with Dr Wratten, the developer who evicted Tony. Dr Wratten has on several occasions said he 'wants to talk' but meetings with representatives have come to nothing. Our last information was that he is still determined to evict the protesters.

We want to convince him to give 34 Broadway Market back to Tony. Despite the fact that Dr Wratten claims he has been maligned by the campaign, he has made no attempt to put across his side of the story at numerous public meetings or any other forum.



STOP PRESS!! EVICTION!

At 4.30am on the 23rd February Sheriffs and Police came to evict the occupiers of Tony's Cafe taking the protesters by surprise. Within minutes a crowd of local supporters had gathered to lend support. There were at least 5 van loads of Police who immediately tried to seal off the road around the cafe.

Local people are adamant that this eviction is not the end of protests around the Cafe. Dr Wratten needs to be aware that the community has vowed to make this site impossible to develop and will use all peaceful means possible to achieve this! We do not want yuppie flats! We want our cafe back!



THE RECENT HISTORY OF TONY’S CAFE

Tony Platia had been running a popular café at 34 Broadway Market for over 31 years until property developer Dr. Roger Wratten evicted him. Wratten bought the property during the controversial auctioning of Hackney Council property in 2003.

Tony was in the way of his development plans and so overnight faced a £22,000 backdated rent request. This went back to 1999, although Tony's landlord had been Hackney Council until 2003. This was a

completely legal but grossly unfair move by Wratten, whose calculations started at the last rent review instigated by Hackney Council . Tony - with the help of the local community - staved off eviction until July last year when he was finally booted out by bailiffs under the orders of Wratten.

As you know, the café was occupied in November 2005 to protest against this injustice and Hackney council's property disposal policy. Locals have been

in occupation on the premise since the end of November to prevent the building being demolished for luxury flats.

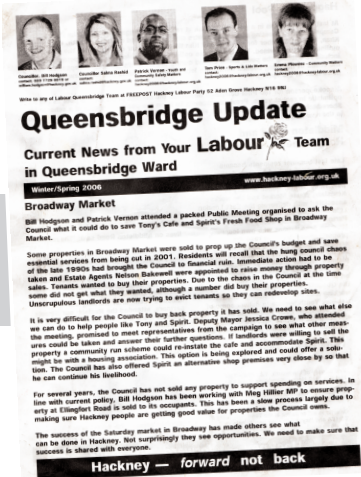
Although they have been evicted once and the cafe was partially demolished, the occupiers re-occupied and then re-built the cafe in a specatular show of solidarity and defiance.

The subsequent months have seen tremendous local support and widespread newspaper and TV coverage. The last public meeting on January 16 attracted over 250 people.



Dr Wratten, described by a Hackney Council officer as a 'sociopath' with no interest in our area

WHAT LABOUR AREN'T TELLING YOU ABOUT BROADWAY MARKET



The Labour party in Queensbridge Ward have recently distributed a leaflet door-to-door that tells us how much they support the campaign for Tony & Spirit.

In case you received one and thought "Great! Now it's all gonna get sorted out by the council!" – hold your horses! Re-read their vacuous claims and our responses:

LABOUR SAY: “Bill Hodgson and Patrick Vernon attended a packed Public Meeting organised to ask the council what it could do to save Tony’s Cafe and Spirit’s Fresh Food Shop in Broadway Market”

- As most of you know, they told us their hands were tied and they could not buy back those properties, much to the anger of all the local people present. If you are in doubt, come and pick up a DVD of the meeting from us!
- They are so keen to engage with the public over this issue that Mayor Jules Pipe has told campaigners he will not attend the next public meeting as there is nothing further to say on the topic!

LABOUR SAY: “Some properties in Broadway Market were sold to prop up the Council’s budget and save essential services from being cut in 2001. Residents will recall that the hung council chaos of the late 1990s had bought the council to financial ruin. Immediate action had to be taken and Estate agents Nelson Bakewell were appointed to raise money through property sales”

- Lets be clear it was Central Government – a LABOUR government – that told them to start the sell offs!
- Why was Tony’s property sold as late as 2003?
- Why was Spirit’s property sold for LESS than he offered, depriving the Council and the people of Hackney of a significant proportion of the much

- needed income from the sales?
- And why was Nelson Bakewell’s contract not renewed by the council? They still won’t tell us why...
- LABOUR SAY: “Unscrupulous landlords are now trying to evict tenants so they can redevelop sites”**
- This should also say “...which we gifted to them fully aware of the negative consequences”. As for ‘unscrupulous landlords’ we have a copy of an internal Council email, written in 1998, in which Wratten is referred to as rather more than unscrupulous, so why did the Council go on doing business with him until at least 2003?
- LABOUR SAY: “It is very difficult for the Council to buy back properties it has sold. We need to see what else can be done to help people like Tony and Spirit”**

- Considering the recent court victories for Spirit, buying back his property will be by far the easiest, cheapest and most responsible option
- And can you think of anyone more LIKE Tony and Spirit than Tony and Spirit themselves?

LABOUR SAY: “Deputy Mayor Jessica Crowe, who attended the meeting, promised to meet representatives from the campaign to see what further measures could be taken and answer their further questions. If landlords are willing to sell the property a community run scheme could re-instate the café and accommodate Spirit. This might be a housing association. This option is being explored and could offer further solutions”

- In making such claims, the council appears to

imply that the community project for the site at 30 – 32 Broadway market and the land to the rear is all their idea. Councillor Bill Hodgson (who printed the newsletter) has been very supportive and, as a local architect, has offered his assistance in drawing up plans for the site. However, neither the Council itself nor the Labour Group in Hackney has played any real part in proposing or pursuing this scheme and to imply otherwise is simply lies. If, as is now suggested, the Council are in full support of our proposals for the site then we look forward to them formally arranging to enter into direct discussions with Dr. Wratten and offering their total support for a community led co-operative buying and developing of the land.

LABOUR SAY: “The Council has also offered Spirit an alternative shop premises very close by so he can continue his livelihood”

- The Council has indeed offered such premises, the closest of which is in Marlborough Avenue. Unfortunately they are too expensive for Spirit & have no residential units attached, so there won’t be much of a chance for him to have any livelihood. The council have said they can ‘negotiate’ with Spirit to see about accomodation but we have yet to see the outcome of this.
 - What they seem to fail to appreciate is that Spirit is very happy in his shop and home, which he created from a derelict shell, investing £52,500 of his own money and 6 years of his own labour – and for which the Council is not offering him a penny of compensation now.
- LABOUR SAY: “For several years, the Council has not sold any property to support spending services”**
- But they still continue to sell properties cheating

their own tenants out of them – 14 properties in Dalston Lane were sold in 2002, not to the leaseholders who turned up with an estimated £ 3.2 million to buy them, but for £ 1.8 million to the same off-shore developers who own Spirit’s shop (and 8 others) in Broadway Market. This one act by Nelson Bakewell – as the Council’s agents - deprived the people of Hackney of the benefits of over £ 1 million and has seen the demise of many long-standing businesses in Dalston Lane who have been forced out by spiralling rents and/or suspicious fires at their properties.

LABOUR SAY: “The success of the Saturday market in Broadway has made others see what can be done in Hackney. Not surprisingly they see opportunities. We need to make sure that success is shared with everyone”

- Well, Hackney Labour are clearly keen to share the successes other people have worked for and achieved, perhaps because they have achieved so little of their own?
- Yes, the Saturday market has been extremely successful, thanks largely to the tireless work of Louise Brewood and the BMTRA. Hackney Council wanted nothing to do with the street market when it was first being proposed as they saw it as another flop. Now that the market has proved its worth - and its financial viability - the Labour Council wants to take over. We all know that one sure-fire way to bring the success of the Saturday market to a swift end would be to hand control to the Council!
- By all means, let the Labour Group ensure that success is shared with everyone, and lets start with Tony and Spirit!